REMARKS

Claims 1, 2, 12-15, 18-21, 26-27, 32-33, 38-39, 44-51 and 52-65 are pending in this application. Claims 3-11, 16-17, 22-25, 28-31, 34-37, and 40-43 were previously canceled. By this Amendment, claims 1, 18, 19, 20, 21 and 52 are amended, and claims 54-65 are added. Claims 1, 18-21, and 52 are the independent claims.

Claim Rejections – 35 U.S.C. §103

The Examiner has rejected claims 1, 2, 12-15, 18-21, 26, 27, 32, 33, 38, 39 and 44-53 under 35 U.S.C. §103(a) as being unpatentable over Kato et al. (U.S. Publication No. 2002/0145702), in view of Ando et al. (U.S. Patent No. 7,054,545), in view of Moon (U.S. Patent No. 6,771,891), in view of Mori (U.S. Patent No. 6,529,683), and in view of Jung et al. (U.S. Publication No. 2004/0081434). Applicants respectfully traverse this rejection for the reasons stated below.

With respect to the independent claims, the Examiner relies upon Kato as disclosing the general concept of a stream file, playlist file (including playitems and sub-playitems) and a clip information file, and Jung as disclosing the general concept of reproducing a text file with an AV stream file based on a playitem. Further, the Examiner relies upon three (3) order DVD art references (Ando, Mori and Moon), which illustrate a completely different file structure than Kato and Jung (as well as the present application), as *somehow* disclosing the details of the claimed invention. However, this is simply incorrect, as further described below.

I. Ando, Mori and Moon are not combinable with Kato and Jung

Applicants submit that Ando, Mori and Moon (e.g., older DVD recording mediums) are not combinable with Kato and Jung (e.g., high density recording mediums). Alternatively, if one of ordinary skill in the art would combine the teachings of Ando, Mori and Moon with the teachings of Kato and Jung, the data structure of Kato and Jung would have to be "substantially modified" in order to implement the features of Ando, Mori and Moon to achieve the claimed invention. However, this substantial modification may be considered an inventive step in itself. In other words, this is not a situation where "some features" from Ando, Mori and Moon can be merely substituted into the structure of Kato and Jung.

For example, the claimed invention relates to the recordation and reproduction of still image units and audio data as a slideshow using the specific data structure of the playitem, the sub-playitem, the first and second clip information files, and the still picture unit. Although Kato and Jung teach the *general concept* of a clip information file and a playlist file (including a playitem and sub-playitem), Kato and Jung fail to teach using the playitem for reproducing presentation data, and the sub-playitem for reproducing the audio data, the *details* of the playitem such as the duration information, the *details* of the first and second stream files (e.g., the first stream including presentation data, the second stream including audio data, the presentation data being divided into a still picture unit, the still picture unit including a still picture and graphic data, the still picture unit not including the audio data), the synchronously reproduction of the still picture and graphic data based on the playitem, and the independent reproduction of the still picture unit and the audio data based on sub-playitem.

Rather, the Examiner relies upon the older DVD art of Ando, Mori and Moon as teaching these features, which use a completely different file structure. For example, these references use VTSI information, navigation packs, audio/visual packs, and program chains (PGC), which are different than the features of Kato and Jung, as well as the claimed invention. In order to accommodate the features relied on by the Examiner from Ando, Mori and Moon into the data structure of Kato and Jung, one of ordinary skill in the art would have substantially modify the clip information file/playlist file/stream file data structure of Kato and Jung, which is not obvious to one of ordinary skill in the art. It is clearly not a matter of substitution. Therefore, the fact that features of Moon, Ando and Mori cannot be substituted into the structure of Kato and Jung indicates that the claims were nonobvious in view of the combined teachings of the these references. *See Orthopedic Equip. Co. v. United States*, 702 F.2d 1005 (Fed. Cir. 1983).

II. Moon and Mori do not illustrate the "still picture unit" of claim 1

Claim 1 requires that the still picture unit include 1) at least one still picture and 2) associated graphic data and 3) not include the audio data. Further, claim 1 requires that the still picture unit is included in the first stream file and the audio data is included in the second stream file. However, Moon and Mori fail to illustrate these features for the reasons discussed below.

Moon teaches a plurality of video packs, audio packs and/or graphic data packs in one VOBU. The video data and graphic data are respectively recorded in the video pack (one unit) and the graphic data pack (another unit). In other words, they are recorded in separate packs. See Moon, column 9, lines 47-49. In contrast to claim 1, the video data and the graphic data of Moon are not recorded in the same

unit. As such, the video pack and the graphic pack of Moon cannot correspond to the still picture unit of claim 1.

Also, Applicants note that because the graphic data of Moon is recorded in a separate pack from the video data, the graphic data pack and the video pack have to be parsed separately. However, in the claimed invention, in order to read the still picture and the associated graphic data, it is not necessary to parse the still picture and the graphic data because the still picture and the graphic data are included in the same still picture unit.

Moreover, if the Examiner believes that the VOBU of Moon corresponds to the still picture unit, the VOBU of Moon also includes the audio pack. For example, VOBU of Moon includes video packs, audio packs, and graphic data packs. See column 9, lines 47-49 of Moon. Therefore, Moon fails to teach any unit including the still picture and graphic data without including the audio data.

Also, Mori fails to teach the "still picture unit" of claim 1. Mori teaches audio cell packs, navigation packs, video packs and sub picture packs, which have the same structure as Moon. See FIGS. 24 and 31 of Mori. That is, the video data and the graphic data are respectively recorded in the video pack and the sub picture pack. As such, the video and graphic data are recorded in **separate packs**, which is the same as the Moon reference. Therefore, the video data and the graphic data are not recorded in the **same unit**. As a result, the video pack and the graphic data pack of Mori do not correspond to the still picture unit of claim 1.

However, if the Examiner believes that audio data (e.g., AOB #1) of FIG. 23 of Moon corresponds to the second stream file to store the audio data and the video data (e.g., P_VOB) of FIG. 23 corresponds to the first stream file to store the still picture

unit, Mori still fails to teach the still picture unit of claim 1, for the reasons discussed below.

The video data P_VOB of Mori includes a navigation pack which includes management data. However, the claimed invention does not include any management data in the still picture unit. Although Mori also teaches other management information such as the ATS management information (ATSI), the reproducing system in Mori must read the navigation pack to obtain the timing information of the video data such as the start time, termination time and reproduction time of the VOBU.

In contrast, in the claimed invention, the management data is recorded in a separate file (such as the playlist file and the clip information file) from the first and second stream files. Thus, the video data VOB including the management information such as the navigation pack can not correspond to the still picture unit of claim 1.

Furthermore, the file name extension of the stream file is different from that of the playlist file and clip information file including the management information, but if the Examiner believes that the VOB is one file, the navigation pack is in the same file with the video pack and the sub picture pack, and the file name extension of the management information is same to the video data and the still picture. Thus, Mori fails to teach "the stream files, the playlist file, and the clip information files are separate from each other and have different file extensions" of claim 1. Furthermore, this interpretation would still not teach the still picture unit.

On the other hand, if the Examiner believes that the navigation pack is not in the same file with the video pack and the sub picture pack, there is no unit recording both the video data and the sub picture. Therefore, Mori still fails to teach the still picture unit.

Also, in the claimed invention, because the management information is included in separated files, the claimed invention is able to easily read the management information without reading the stream file and thus quickly reproduce the data in the stream files. Moreover, because Mori teaches that the management information ATSI and the navigation pack are in separate areas, Mori has to read each of the management information ATSI and the navigation pack separately.

Therefore, Moon and Mori, cannot possible teach the features of the still picture unit within the meaning of claim 1.

III. Jung does not disclose "wherein the at least one still picture and associated graphic in the still picture unit is reproduced synchronously based on the at least one playitem" of claim 1

Because Jung does not disclose the "still picture unit" of claim 1, Jung cannot possibly disclose the at least one still picture and associated graphic data in the still picture unit being reproduced synchronously based on the at least one playitem. For example, in FIG. 18 of Jung, the subtitle data is recorded in a separate file from the clip storing AV stream file. Although Jung may *generally* teach the synchronization of video data and graphic data, claim 1 is not merely directed to the synchronizing the video data and the graphic data. Rather, in claim 1, the synchronization of the still picture and the graphic data uses an effective data structure (e.g., the still picture unit) to reproduce the slideshow. Because Jung does not teach a slideshow, the subtitle of Jung is not usable to reproduce the slideshow.

IV. Cited references fail to teach the graphic data is recorded with the still picture in the still picture unit in the first stream file while the audio data is recorded in a second stream file separate from the first stream file, as required by claim 1

In claim 1, all of the still picture, graphic data and the audio data are used to reproduce the slideshow. However, one feature (e.g., the graphic data) is recorded with the still picture, and another feature (e.g., the audio data) is recorded in a separate file. This arrangement is not merely a simple and meaningless data structure. Rather, it effectively reproduces the slideshow by recording the graphic data with the still picture in the still picture unit while the still picture unit excludes the audio data. Moreover, the claimed invention teaches that the audio data is not merely recorded in a separate unit but is recorded in a separate file. None of the cited references illustrates this feature.

V. Cited References fail to teach "wherein the audio data is reproduced independently from the at least one still picture unit and reproduced without interrupting reproduction of the still picture unit as the slideshow based on the at least one sub-playitem" of claim 1

Without conceding to the Examiner's current position, Applicants have amended independent claim 1 to further clarify its features. Claim 1 recites "wherein the audio data is reproduced independently from the at least one still picture unit and reproduced without interrupting reproduction of the still picture unit as the slideshow based on the at least one sub-playitem." None of the cited references illustrate these features. For example, the Examiner acknowledges that Ando, Moon and Mori do not illustrate the playitem and the sub-playitem of claim 1. Although Kato and Jung *generally* teach the existence of the playitem and the sub-playitem, Kato and Jung fail to teach that the still picture is reproduced as a slideshow. For example, in the claimed invention, the audio data is reproduced with the still picture unit for the slideshow, that is the audio data is related to the still picture unit, but the audio data

can be reproduced without interrupting reproducing of the still picture unit as the slideshow. Because the audio data is managed by the sub-playitem while the still picture unit is managed by the playitem, the audio data can be independently reproduced from the still picture unit. Therefore, the audio data can be reproduced without interrupting reproducing of the still picture unit as the slideshow. Accordingly, the audio data can be reproduced repeatedly while reproducing the still picture unit or can be reproduced continuously even though reproducing the still picture unit is finished.

In other words, the features to be reproduced synchronously are recorded in the same still picture unit, and managed by the playitem. As a result, synchronously reproducing the data in the still picture unit may be performed in a more effective way. Also, the audio data, which is reproduced without interrupting reproducing of the still picture unit, is recorded in a separate file and managed by a sub-playitem, thus making independent reproduction easier.

VI. Cited References fail to teach "wherein at least one of the first and second clip information files including type information indicating that the audio data associated with the sub-playitem is for the slideshow"

Also, without conceding to the Examiner's position, Applicants have further amended independent claim 1 to recite "wherein at least one of the first and second clip information files includes type information indicating that the audio data associated with the sub-playitem is for the slideshow." None of the cited references illustrate these features.

Therefore, Kato, Ando, Moon, Mori and Jung, alone or in combination, cannot render independent claim 1 obvious to one of ordinary skill in the art. The other

independent claims include features similar to the above-identified features of claim 1, and therefore are patentable for at least the same reasons stated above. Also, the pending dependent claims, dependent on the independent claims, are patentable for at least the same reasons stated above. As such, Applicants respectfully request that this rejection be withdrawn.

New Claims

New claims 54-65, dependent on the independent claims, are patentable for at least the same reasons stated above. As such, Applicants respectfully request that this rejection be withdrawn.

CONCLUSION

In view of the above remarks and amendments, Applicants respectfully submit that each of the rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,
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